PATENT

DEC 0 8 2003 E IN TO

Serial No.:

10/622,755

Filed:

July 18, 2003

For:

AN EXPIRATORY LIMB FOR A

BREATHING CIRCUIT

Applicant:

SMITH et al.

Examiner:

Not yet assigned

Art Unit:

Not yet assigned

Attorney Ref: 1171/39359A/95A-DIV

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

Date Series

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents P.O. Box 1450 Arlington, VA 22313/1450

Sir:

In accordance with Applicant's duty of candor under 37 CFR §1.56 and in compliance with 37 CFR §1.97 and §1.98, Applicant is not aware of any material prior art but, in an abundance of caution and candor, Applicant submits the present Supplemental Information Disclosure Statement and Form PTO-1449.

Also enclosed is an abstract of Australian Publication No. 200143823. It is relevant because it discloses a breathing circuit component that includes an inlet, an outlet and an enclosing wall. The enclosing wall defines a gases passageway between the inlet and the outlet. At least a region of the enclosing wall is formed from a breathable material that allows the passage of water vapour without allowing the passage of liquid water or respiratory gases. The breathing circuit component may be the expiratory limb for a breathing circuit.

Applicant also advises the Examiner of co-pending United States patent application Serial No. 10/563,821.

This Supplemental Information Disclosure Statement is being filed before the receipt of the first Office Action on the merits and constitutes a bona fide attempt to comply with 37 CFR §1.97 and §1.98.

In accordance with 37 C.F.R. §1.97, the presentation of this information shall not be construed as a representation that no other material information as defined in 37 C.F.R. §1.56

exists, or as an admission that the information cited in this statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56.

Should the Examiner believe a fee is required, the United States Patent and Trademark Office is hereby authorized and requested to charge the fee to the deposit account of the undersigned firm, Account No. 20-1495.

Respectfully submitted,

Dated: Ver. 2003

Raiford A. Blackstone, Reg. No. 24,284

Linda L. Palomar, Reg. No. 37,903 TREXLER, BUSHNELL, GIANGIORGI, BLACKSTONE & MARR, LTD.

105 W. Adams Street, 36th Floor Chicago, Illinois 60603

(312) 704-1890



Sheet ___1 of _1

Form PTO-1449 (Rev. 2-83) U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT BY APPLICANT										ATTY. DOCKET NO. 1171/39359A SERIAL NO. 10/622,755 95A-DV				
										APPLICANT: Smith et al.				
(Use several sheets if necessary)										FILING DATE: July 18, 2003	GROUP	Not yet	Assigne	d
								U	S. PATENT	DOCUMENTS				
*EXAMINER INITIAL			DOCUMENT NUMBER						DATE	NAME	CLASS	SUB CLASS		IG DATE
		3	8	8	9	7	1	7	06/17/75	Obadal et al.			1 7	OFNIATE
	_	4	2	6	5	2	3	9	05/05/81	Fischer, Jr. et al.				
	ļ	4	3	3	6	7	9	8	06/29/82	Beran		<u> </u>		
***		4	4	2	0	0	1	6	12/13/83	Nichols				
		4	4	5	6_	0_	3_	4	06/26/84	Bixby				
	_	6	0	7	8	7	3	0	06/20/00	Huddart et al.				
	ļ	4	0	0	7	7	3	7	02/15/77	Paluch .				
		4	2	0	7	4	5	7	06/10/80	Haglund et al.				
		4	3	2	7	7 .	7	5	05/04/82	Tally		1	<u> </u>	
		4	6	5	3	5	4	2	03/31/87	Tascher		 	1	
		4	6	8	6	3	5	4	08/11/87	Makin		1	1	
		4	6	9	8	8	9	0	10/13/87	Neaves		<u> </u>	1	
		4	7	9	1	9	6	3	12/20/88	Gronert et al.			<u> </u>	
		5	8	9	4	8	3	9	04/20/99	Rosenkoetter et al.			İ	
		6	1	4	8	8	1	8	11/21/00	Pagan		·		
		6	1	6	7	8	8	3	01/02/01	Beran et al.			İ	
		6	5	3	6	4	2	8	03/25/03	Smith et al.		 		
***************************************		3	9	1	0	8	0	8	10/07/75	Steward		 	 	
,		1				1	Ť	Ů	10/01/10	Otewary		 		
											1	<u> </u>	<u> </u>	
							-				—			
	ĺ										 -	ļ	 	
								FOR	FIGN PATE	JT DOCUMENTS	<u> </u>	l	<u> </u>	
	Γ	FOREIGN PATEN							LIGHTATE	AL DOCOMEIA12	TRANSLATION			N ATION
											CLASS	SUB CLASS	YES	NO
	wo	9	7	1	8	0	0	1	05/22/97	International				
	<u> </u>													
					отн	ER D	ocu	MENT	S (Including Au	thor, Title, Date, Pertinent Pages, etc.)			
			Untic	ed Sta	tes Pa		oplica	tion Pub		02/0002976 Published on January 10,		Conduit V	Vith Hea	ted
			Aust	tralian	Paten	t Appli	cation		0143823 Publis	hed on November 15, 2001 entitled Co	omponents fo	r Breathin	g Circuit	s;
			IIIVE	inois c	oithui,	Daluw	iii, F0	well and	i Miliar					
										•				
	-			_										
XAMINER										DATE CONSIDERED		· <u>-</u>		
• • • • • • • • • • • • • • • • • • • •	/ AMIN'	ED.	nitial If	olto*!		alder-		th.a	nat alt-ti-					
con 5031	formar	ice an	id not	consid	ered.	Includ	e cop	mer or i	form with next	conformance with MPEP 609; Draw li communication to applicant.	ne through ci	tation if no	t in	